

## THE MEDICAL MARIJUANA IDENTIFICATION CARD (MMIC) PROGRAM OF SAN LUIS OBISPO COUNTY

### WHAT'S IS ALL ABOUT?

- **Proposition 215, the Compassionate Care Act of 1996, was approved by CA. voters to provide protections to seriously ill persons who have a recommendation from their physicians to use marijuana for medical purposes.** It also provides protections to physicians and primary caregivers who assist these seriously ill persons.
- **SB 420 was approved in 2003 to address various problems with Proposition 215 and to make verification simpler.** The intent of SB 420 was to help law enforcement and qualified patients by creating a form of identification for qualified patients that is official and uniform throughout the State.
- **SB 420 requires** the State Department of Health Services (DHS) to develop a Medical Marijuana Program, using an **online registry and verification system of the MMICs**, which are issued by counties to qualified patients and primary caregivers.
- **The State online registry allows law enforcement to easily verify that a MMIC is valid**, thus identifying the cardholder as a legal marijuana user under State law (not federal law), and freeing up peace officers' time serving the community.
- **Therefore, on August 1, 2006 the Board of Supervisors (BOS) authorized** the County Health Agency to proceed with implementing a MMIC program, which is now under development.
- **The tasks of Health Agency staff are to:** 1) **accept and process applications** for MMICs from both patients and primary caregivers; 2) **ensure the identity** of all applicants for MMICs; 3) **ensure that the physician** making the recommendation for medical marijuana **is currently licensed** to practice medicine in CA; 4) that the physician has recommended the use of medical marijuana for **one or more of the illnesses/conditions** for which marijuana is an appropriate remedy; 5) **photograph the applicant and submit the photograph and required data** on each applicant to the State for their review and inclusion in, or denial to, their online MMIC registry.
- Subsequently, if the MMIC application is approved, the State **DHS mails a MMIC to SLO County for the Health Agency staff to give it to the applicant.**

### WHAT DISCRETION DOES EACH COUNTY HAVE?

- **Counties may decide on the fee charged for processing a MMIC application.** We will likely adopt a fee between \$75 - \$100. A fee analysis is being developed now and will be presented to the BOS for their consideration soon.
- **Counties may determine the maximum number of marijuana plants that one patient may possess.** Our county is adopting the State standard of a maximum of 8 oz. of dried marijuana and either 6 mature or 12 immature plants per qualified patient. The 8 oz. per patient may be exceeded if a physician provides a specific indication that the patient needs a larger quantity.

- **Counties may establish the maximum number of patients that one primary caregiver may be responsible for.** Our county adopted a maximum of 10 patients per primary caregiver; but, if a primary caregiver wanted to care for more than 10 patients, he/she had to present clear and convincing evidence that the caregiver is consistently assuming responsibility for the housing, health and safety of each patient.
- **Counties may decide how much and in what form application information will be retained in the Health Agency.** Our County has chosen to retain only the minimum required by the State, which states that counties must “maintain records of identification card programs”.

#### **WHERE/HOW WILL PEOPLE APPLY FOR AN MMIC?**

- After the Health Agency obtains approval for the recommended fee from the BOS, and after the program is operational, the program will be administered in the **Vital Records Office within the Public Health Department at 2191 Johnson Ave, SLO.**
- **A new telephone number** is being obtained, and that number will be announced later.
- **MMIC applications will also be available online on the County’s website** for the Public Health Department. The applicant must still present themselves in the Public Health Department with verification of their identity and for their photograph to be taken.

Presented to the ASPC by:  
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